

Assembly Bill No. 2205

Passed the Assembly August 29, 2002

Chief Clerk of the Assembly

Passed the Senate August 24, 2006

Secretary of the Senate

This bill was received by the Governor this _____ day
of _____, 2006, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to add Section 18901.55 to the Welfare and Institutions Code, relating to food stamps.

LEGISLATIVE COUNSEL'S DIGEST

AB 2205, Evans. Food Stamp Program: categorical eligibility.

Existing law provides for the federal Food Stamp Program, under which each county distributes food stamps provided by the federal government to eligible households, and the CalWORKs program, under which each county provides cash assistance and other benefits to qualified low-income families and individuals.

Existing law also provides for the Medi-Cal program, which is administered by the State Department of Health Services, pursuant to which medical benefits are provided to public assistance recipients and other low-income persons.

Under existing law, the State Department of Social Services is required to develop a program of categorical eligibility under the Food Stamp Program for persons receiving certain cash assistance for indigent persons.

This bill would require the department to establish a similar categorical eligibility program for recipients of benefits under the Medi-Cal program, when those individuals will be receiving or are eligible to receive benefits or services funded under the federal Temporary Assistance for Needy Families (TANF) block grant. The bill would require the department to establish the program by July 1, 2007, and to fully implement it as to new food stamp applicants by January 1, 2008.

Because counties administer the Food Stamp Program, this bill would increase county duties by potentially extending the period of eligibility for these programs for certain recipients, and would thereby impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the

state, reimbursement for those costs shall be made pursuant to these statutory provisions.

The people of the State of California do enact as follows:

SECTION 1. The Legislature finds and declares all of the following:

(a) Poor nutrition threatens the health of over two million California children who are hungry or food insecure.

(b) The federal school lunch and breakfast programs are effective tools to prevent childhood hunger and improve nutrition.

(c) These school meal programs are severely underutilized. Only one-half of students receive lunch at school and only 18 percent receive school breakfast.

(d) Not at all eligible low-income children in California are enrolled in these meal programs, and many of those that are enrolled cannot afford the 40 cents required for a reduced price meal.

(e) Congress and the Legislature have made it easier to enroll children in school meals programs by passing legislation to require that recipients of food stamps and other programs automatically receive free school meals.

(f) These efforts to increase the number of food stamp recipients that receive free school meals are hampered by California's poor food stamp participation rate.

(g) Other states have identified ways to improve food stamp participation by making it easier for participants in other low-income programs to receive food stamps.

(h) Improving the ease with which the many Medi-Cal recipients who receive food stamps will also increase the number of children eating free meals at school pursuant to existing legislation.

(i) The program of categorical eligibility established pursuant to this act will improve health, remove administrative barriers, and increase the amount of federal nutrition resources coming to California.

SEC. 2. Section 18901.55 is added to the Welfare and Institutions Code, to read:

18901.55. (a) The department shall establish a program of categorical eligibility for food stamps, in accordance with subdivision (a) of Section 5 of the federal Food Stamp Act (7 U.S.C. Sec. 2014(a)), and implementing regulations, for any individual receiving medical assistance under Chapter 7 (commencing with Section 14000) of Part 3 when the individual is a member of a household that will be receiving or is eligible to receive specified benefits or services, such as a referral form, funded by the federal Temporary Assistance for Needy Families block grant, as provided in Part A of Title IV of the federal Social Security Act (42 U.S.C. Sec. 601 et seq.). The program may include other applicants for food stamps, but shall include only those households eligible for benefits equal to or greater than the minimum federal food stamp benefit.

(b) The director shall implement the program established pursuant to this section only with the appropriate federal authorization, and if implementation would not result in the loss of federal financial participation.

(c) The program authorized by this section shall be established no later than July 1, 2007, and shall be fully implemented as to new applicants for food stamps by January 1, 2008. Thereafter, counties shall make reasonable efforts to review existing Medi-Cal cases to identify individuals who could benefit from the program of categorical eligibility. Nothing shall preclude a county from undertaking these reviews prior to January 1, 2008.

SEC. 3. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.

Approved _____, 2006

Governor